



Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105

May 14, 2009

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*

Director's Office
Parks Division
Fisheries Division
Wildlife Division

Lands Section
Design & Construction
Legal Unit
Regional Supervisors

Mike Volesky, Governor's Office *
Sarah Elliott, Press Agent, Governor's Office*
Maureen Theisen, Governor's Office*
Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
FWP Commissioner Shane Colton*
Montana Parks Association/Our Montana (land acquisition projects)
David Moore, DNRC Area Manager, Southern Land Office
County Commissioners

* (Sent electronically)

Ladies and Gentlemen:

The enclosed draft Environmental Assessment (EA) has been prepared to implement an agricultural lease on a small portion of the Big Lake Wildlife Management Area (WMA). The purpose of the lease is to formalize a reciprocal agreement with a local rancher to mow grass on an access road to reduce fire fuels in exchange of receipt of cut hay and grass for use on his ranch. Questions and comments will be accepted through June 1, 2009 by 5:00 p.m.

If you have questions or need additional copies of the draft EA, please contact Montana Fish, Wildlife & Parks at 247-2940. Please send any written comments by mail to: Ray Mulé at Montana Fish, Wildlife & Parks, 2300 Lake Elmo Drive, Billings MT 59105; or by e-mail to rmule@mt.gov.

Thank you for your interest,

Gary Hammond
Regional Supervisor

Enclosure

**Draft
Environmental Assessment**

**Big Lake Wildlife Management Area
Agricultural Lease**

May 2009



***Montana Fish,
Wildlife & Parks***

Draft Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

I. PROPOSED ACTION DESCRIPTION

Type of proposed state action: Montana Fish, Wildlife & Parks (FWP) proposes to implement an agricultural lease on a small portion of the Big Lake Wildlife Management Area (WMA). The purpose of the lease is to formalize a reciprocal agreement with a local rancher to mow grass on an access road to reduce fire fuels in exchange of receipt of cut hay and grass for use on his ranch.

2. Agency authority for the proposed action:

FWP has the authority under law (87-1-201) to protect, enhance and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future.

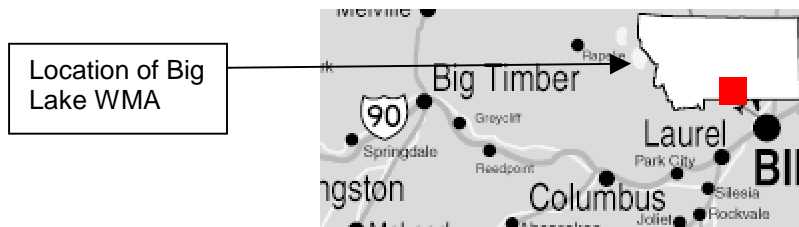
Additionally, the Fish, Wildlife and Parks Commission must approve any leases on Wildlife Management Areas owned by FWP.

3. Anticipated Schedule:

Public Comment Period: Through June 1, 2009
Final FWP Commission Approval: June 25, 2009
Agricultural lease in effect: July 15, 2009

4. Location:

The WMA is located in Stillwater County approximately 21 miles northwest of Billings, Montana. The road targeted for annual mowing lies in T2NR21E Section 35. The two areas where hay may be cut in exchange for road mowing are located in T2NR21E, Section 26 and T2NR21E, Section 35.



5. Project size -- estimate the number of acres that would be directly affected that are currently:

<u>Acres</u>		<u>Acres</u>	
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>57</u>

Areas

Other

0

Approximately 57 acres of rangeland are available for haying, from which approximately 10 acres or less will be cut each year.

6. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

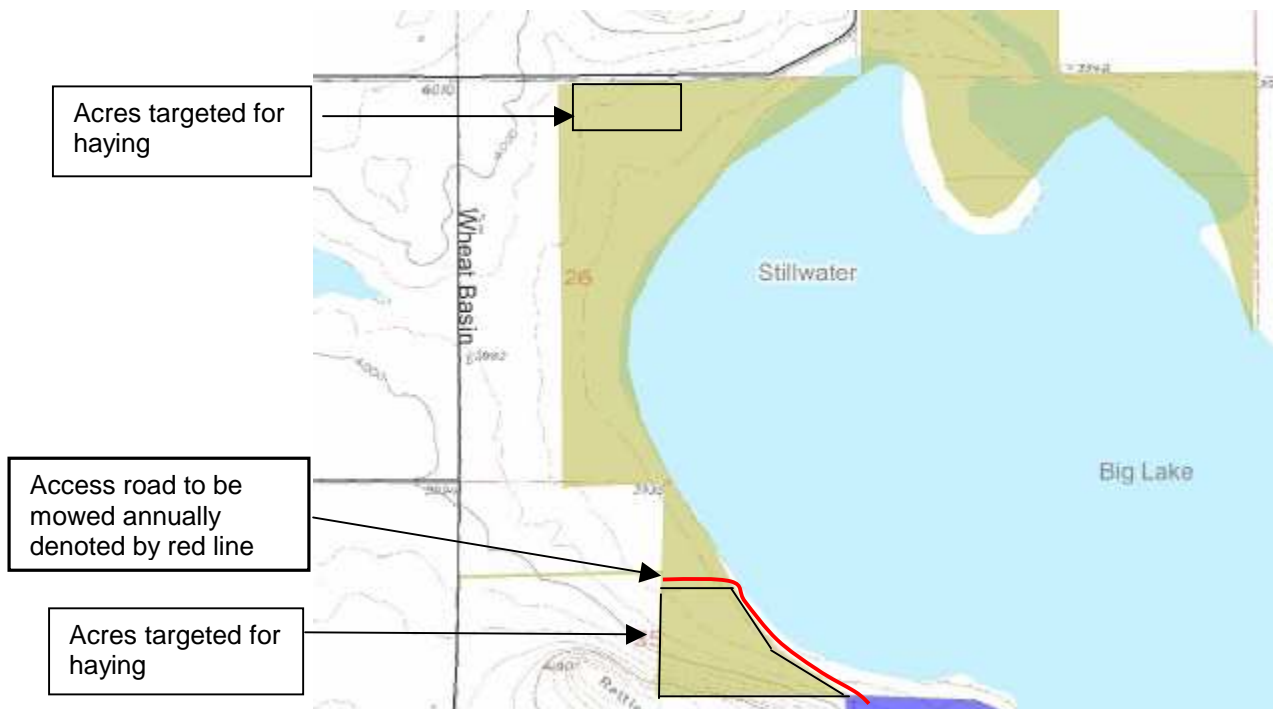
(a) Permits: None

(b) Costs to FWP: None, equal exchange of services and goods

(c) Other Overlapping or Additional Jurisdictional Responsibilities: None

7. Narrative summary of the proposed action:

FWP proposed to engage in an agricultural lease with a local rancher for mowing services of an access road used by FWP and the public to decrease fire fuels and the potential for wild fires within the WMA. In exchange for mowing the access road once annually, the rancher will be allowed to cut and bale up to 10 acres of hay annually within two areas targeted for haying on the WMA. Specific areas to cut within the 'acres targeted for haying' will be determined annually by the WMA managing biologist. The rancher is required to remove all baled hay from the WMA by August 31. Both the mowing and haying will occur between July 15th and August 31st.



Hay cutting will benefit wildlife, specifically upland birds and waterfowl by maintaining upland habitat productivity and creating a diverse habitat age structure. Periodically cutting select portions of these upland cover patches will create a diverse habitat age structure within the WMA and improve nesting and wintering cover for Hungarian Partridge, sharp-tailed grouse, and a variety of other species.

8. Alternatives:

Alternative A: No Action, An Agricultural Lease is Not Established

FWP will continue to manage the Big Lake WMA as it currently does. Fire fuels will accumulate on the access road, which will increase risk of fire within Big Lake WMA and result in decreased upland game bird habitat quality.

Alternative B: Proposed Action – Establish an Agricultural Lease for Mowing Services

As described in #7, FWP would establish an agricultural lease with a local rancher for mowing services of the access road in exchange for the hay and bailing of up to 10 acres of hay from within the Big Lake Wildlife Management Area.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

The analysis of the physical and human environments discussed on the following pages is limited to Alternative B, the preferred action. This is because under Alternative A, FWP would not pursue the agricultural lease but FWP staff would continue to provide routine maintenance at the WMA and there would be no changes to the physical environment.

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

The proposed project does not require any disturbances to localized soils nor does it require any changes to geologic substructures.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X			2a
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		N/A				

- 2a. The proposed lease and activities associated with it are not expected to measurably change the air quality in the immediate area although some dust is expected to be generated by the haying and mowing activities.

3. <u>WATER</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		N/A				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		N/A				

The proposed project will have no affect on surface water, drainage patterns, or floodwater routes because neither area to me mowed is adjacent to a body of water nor does it have creeks moving through them.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?			X		No	4b
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X			Yes	4e
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				

4b. By nature of the lease terms a small portion of the 1,900 acres of the WMA will be effected by the mowing and haying activities though there will be no changes to the diversity of vegetation available within the WMA for upland game birds and other wildlife.

4c. A search of the Montana Natural Heritage Program (MNHP) identified no plants of concern within the project area.

4e. Noxious weed control efforts will follow the guidelines presented in the FWP's 2008 Noxious Weed Management Plan, which includes the use of herbicides and mechanical efforts.

** 5. FISH/WILDLIFE Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				5b
c. Changes in the diversity or abundance of nongame species?		X				5c
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		N/A				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		N/A				

The proposed project will not take place in an area that is designated of critical habitat to a sensitive species and it will not cause changes to wildlife diversity or abundance.

5b/c. Some transient game and nongame species, such as mule deer, antelope, game birds, and small mammals will be affected by the noise generated by the proposed project for a limited time. These species will likely avoid the areas selected for mowing and haying activities but will return to the area when the proposed project in the area is completed and noise levels return to normal. Justin Paugh, FWP Regional Wildlife Biologist, made this assessment.

5f. A search of the Montana Natural Heritage Program's (MNHP) species of concern database did not identify any species of concern or threatened or endangered species in close proximity to the areas selected for the mowing and haying activities (Montana Natural Heritage database, <http://mtnhp.org/SpeciesOfConcern>).

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X			6a
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

6a. There would be a temporary increase in noise levels at the WMA due to the equipment used for mowing and haying. After the completion of the lease activities, noise levels are expected to return to normal.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

The proposed project not will change the current use of the area.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		N/A				

The proposed agricultural lease is expected to help reduce fire fuels and the risk of fires within the WMA.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				

The proposed project will not affect local residents or traffic patterns in or around the WMA.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources						None
f. **Define projected maintenance costs.						No new

** 11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				11c
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		N/A				

11c. Most recreation on the WMA occurs during the fall hunting season beginning September 1. All mowing and haying activities will be completed prior to September 1 to minimize conflicts with recreationists.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		N/A				

No cultural or historic elements are known to exist in the project area. No groundbreaking activities will occur.

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				13e
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		N/A				
g. ****For P-R/D-J, list any federal or state permits required.		N/A				

This EA found no significant impacts to the human or physical environment from the proposed action. Negative cumulative impacts from this project are not expected although some public debate is anticipated.

PART III. NARRATIVE EVALUATION AND COMMENT

Because of the scope of the proposed terms of the lease, it is expected there will be a few minor impacts to the physical environment. However, these influences, which were previously noted, are expected to be only for the relatively short duration with no lasting negative effects on the local environment. No irreversible or irretrievable resources impacts are expected to the targeted areas within the WMA.

PART IV. PUBLIC PARTICIPATION

Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in each of these papers: *Laurel Outlook and Billings Gazette*:
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

Duration of comment period:

The public comment period will extend for (14) fourteen days. Written comments will be accepted until 5:00 p.m., June 1, 2009 and can be mailed to the address below:

Big Lake WMA Agricultural Lease
Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings, MT 59105

Or email comments to: jpaugh@mt.gov

PART V. EA PREPARATION

1. **Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?** No
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based upon the above assessment (Parts II), which identified a very limited number of minor impacts from the proposed lease activities of which will be below a significance level, an EIS is not required and an environmental assessment is the appropriate level of review.

2. Person responsible for preparing the EA:

Justin Paugh, Wildlife Biologist
Montana Fish, Wildlife & Parks
P.O. Box 642
Big Timber, MT 59011
406-932-5012

3. List of agencies or offices consulted during preparation of the EA:

Montana Fish, Wildlife & Parks
Wildlife Division
Legal Bureau
Montana Natural Heritage Program – Natural Resources Information System (NRIS)

APPENDICE

A. Map of WMA

APPENDIX A

